STATE OF NEW YORK

6553--A

2021-2022 Regular Sessions

IN SENATE

May 5, 2021

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to authorize the town of Yorktown, county of Westchester, to alienate and discontinue the use of certain parklands

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. (a) Subject to the provisions of this act, the town of Yorktown, county of Westchester, acting by and through its governing body, and upon such terms and conditions as determined by such body, is hereby authorized to discontinue as parklands and lease at fair market value to HESP Solar LLC for a term not to exceed 25 years the lands more particularly described in section two of this act for the purpose of constructing a solar facility and electric vehicle charging stations.

(b) All proceeds from such lease shall be used for acquisition of new parklands and/or towards capital improvements to existing park and recreational facilities.

§ 2. The parklands authorized by section one of this act to be discontinued as parklands and leased are described as follows:

BEGINNING at a point starting at X: 674978.43, Y: 901697.76, thence running South 3 degrees 00' 48" East 211.71', thence running South 88 degrees 04' 26" West 273.40', thence running North 1 degree 55' 34" West 206.56', then running North 86 degrees 59' 10" East 269.44', to the point of beginning; and

BEGINNING at a point starting at X: 674645.87, Y: 901474.68, thence running South 6 degrees 25' 49" East 477.31', thence running South 83 degrees 20' 52" West 135.95, thence running North 6 degrees 37' 56" West 477.83, thence running North 83 degrees 33' 55" E 137.64', to the point of beginning; and

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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BEGINNING at a point starting at X: 674639.18, Y: 901680.73, thence running North 6 degrees 46' 40" West 141.06', thence running North 83 degrees 13' 25" East 64.00', thence running South 6 degrees 46' 40" East 141.06', thence running South 83 degrees 13' 25" West 64.0', to the point of beginning.

Total acreage is 3.01.

§ 3. Should the lands described in section two of this act cease to be used for the purpose described in section one of this act, the lease shall terminate and the lands, along with any improvements made thereto, shall revert to the town of Yorktown for public park and recreational purposes.

§ 4. In the event that the town of Yorktown received any funding support or assistance from the federal government for the purchase, maintenance or improvement of the parklands set forth in section two of this act, the discontinuance and alienation of such parkland authorized by the provisions of this act shall not occur until the town of Yorktown has complied with any federal requirements pertaining to the alienation or conversion of parklands, including satisfying the secretary of the interior that the alienation or conversion complies with all conditions which the secretary of the interior deems necessary to assure the substitution of other lands shall be equivalent in fair market value and usefulness to the lands being alienated or converted.

§ 5. This act shall take effect immediately.